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77.

HARBOR PARK DIVISION NO. 1 W1/2 SW1/4 SECTION 11, TOWNSHIP 29 NORTH, RANGE 2 EAST, WM

LEGAL DESCRIPTION

ALL THAT PORTION OF GOVERNMENT LOT 2 AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°04'05" WEST ALONG THE EAST LINE THEREOF 3.36 FEET TO THE NORTH MARGIN OF LAYTON ROAD; THENCE NORTHWESTERLY ALONG SAID MARGIN AND A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 19°04'32" WEST 905.32 FEET AN ARC DISTANCE OF 334.65 FEET THROUGH A CENTRAL ANGLE OF 21°10'46"; THENCE SOUTH 87°53'46" WEST ALONG SAID MARGIN 173.52 FEET; THENCE SOUTH 87°48'08" WEST ALONG SAID MARGIN 145.51 FEET TO THE EAST LINE OF EAST HARBOR TERRACE ACCORDING TO THE PLAT THEREOF FOUND IN VOLUME 6 OF PLATS, PAGE 28, RECORDS OF ISLAND COUNTY, WASHINGTON; THENCE NORTH 00°07'00" WEST ALONG SAID EAST LINE 119.64 FEET; THENCE CONTINUE ALONG SAID EAST LINE ALONG A 386.20-FOOT RADIUS CURVE TO THE RIGHT 305.85 FEET THROUGH A CENTRAL ANGLE OF 45°22'30" TO THE SOUTHWESTERLY LINE OF CONDO SHORT PLAT 78-150, AUDITOR'S FILE NUMBER 88015302; THENCE SOUTH 44°38'20" EAST 149.95 FEET TO THE SOUTHERLY MOST CORNER THEREOF; THENCE NORTH 57°06'52" EAST 120.00 FEET TO THE MOST EASTERLY CORNER THEREOF; THENCE NORTH 64°30'58" EAST 44.00 FEET TO THE SOUTHEAST CORNER OF LOT 1, ISLAND COUNTY SHORT PLAT 77-21, AUDITOR'S FILE NUMBER 322782; THENCE NORTH 25°32'51" EAST ALONG THE EAST LINE THEREOF 253.14 FEET TO THE SOUTHEASTERLY LINE OF EAST HARBOR TERRACE; THENCE ALONG SAID SOUTHEASTERLY LINE AND A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 33°13'28" WEST 1264.93 FEET AN ARC DISTANCE OF 2.82 FEET THROUGH A CENTRAL ANGLE OF 00°07'00" TO THE SOUTHEAST CORNER OF LOT 12, BLOCK 2, EAST HARBOR TERRACE; THENCE NORTH 68°32'10" EAST 64.51 FEET TO THE SOUTHWEST CORNER OF LOT 2, BLOCK 3, EAST HARBOR TERRACE; THENCE NORTH 86°53'00" EAST 109.48 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00°09'48" EAST 0.75 FEET TO THE NORTH LINE OF THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11; THENCE NORTH 87°57'31" EAST 6.07 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 00°04'05" WEST 659.80 FEET TO THE SOUTHWEST CORNER THEREOF AND THE TRUE POINT OF BEGINNING. SUBJECT TO AND TOGETHER WITH EASEMENTS, RESERVATIONS, AND RESTRICTIONS OF RECORD, IF ANY.

SITUATE IN THE COUNTY OF ISLAND, STATE OF WASHINGTON.

APPROVALS

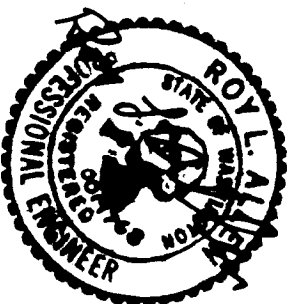
Approved by the Island County Planning Director
this 23rd day of October, 1991.
Gloria Petersen
Island County Planning Director

Examined and approved in accordance with
RCW 58.17.160(1) this 23rd day of October, 1991.
Ray E. Oliver
County Engineer

Board of Island County Commissioners

This subdivision conforms to the requirements of
subdivisions as established by Chapter 16.17
Island County Code, and is hereby approved
this 28th day of October, 1991.

Edson H. Foster
Commissioner (Chairman)
St. Collette
Commissioner
William H. Kelly
Commissioner



RESTRICTIONS:

NO BLOCKING OR DIVERTING OF EXISTING, NATURAL OR MAN-MADE DRAINAGE WAYS IS PERMITTED.

A PORTION OF THIS PROPERTY IS ENCUMBERED BY STEEP SLOPES (GREATER THAN 15% BY DEFINITION) AND NO GRADING (CLEARING, EXCAVATION OR FILLING) IS PERMITTED WITHIN 100 FEET OF SAID SLOPES UNLESS SUCH TIME AS AN APPROVED GRADING PERMIT, OR WAIVER THEREOF, IS OBTAINED FROM THE ISLAND COUNTY ENGINEERING DEPARTMENT. THE SAME IS TRUE FOR ANY WETLANDS THAT MAY EXIST.

ACCESS FROM LOTS 1, 2, 3, 4 AND THE NON-RESIDENTIAL ZONED PORTION OF LOT 5 OF THIS SUBDIVISION SHALL BE LIMITED TO LAYTON ROAD ALONG THEIR SOUTH BOUNDARIES OR THE 210'x50' EASEMENT HEREIN CREATED.

ACCESS FROM LOT 5 TO CHERRY STREET ON THE NORTH IS PERMITTED FOR RESIDENTIAL USE ONLY. *91016419

EASEMENTS

THE 50 FT. WIDE "PUGET POWER EASEMENT SHOWN HEREON IS ALSO DEDICATED TO THE BENEFIT OF THE FREELAND WATER DISTRICT AND THE WHIRBY TELEPHONE CO. INC.

THE 210'x50' ACCESS AND UTILITY EASEMENT SERVING LOTS 3, 4 AND 5 IS ALSO DEDICATED FOR JOINT USE PARKING FOR LOTS 3, 4 AND 5 THAT ALL PARKING SPACES THEREIN CONSTRUCTED ON LOT 3 SHALL CONTAIN LOT 3. PROVIDED FURTHER THAT LOT 3 WILL NOT BE ELIGIBLE FOR A REDUCTION IN ON - SITE PARKING REQUIREMENTS BECAUSE OF SAID EASEMENT.

THE 30' X 40' EASEMENT AND THE 210FT X 50' EASEMENT IS FOR INGRESS, EGRESS AND UTILITIES AND IS FOR THE BENEFIT OF LOTS 3, 4, 5 AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 2 EAST, WM.

NOTES

ISLAND COUNTY HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE PRIVATE ROADS CONTAINED WITHIN OR PRIVATE ROADS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS DEVELOPMENT.

OWNERS OF ALL LOTS IN THIS SUBDIVISION MUST SUBMIT PLANS FOR STORM WATER MANAGEMENT IN ACCORDANCE WITH CHAPTER 11.01 I.C.C. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS EXCEPT FOR DETACHED SINGLE FAMILY RESIDENCES. SUCH PLANS SHALL PROVIDE FOR APPROPRIATE RETENTION/DETENTION FACILITIES, AND BE APPROVED BY THE COUNTY ENGINEER.

NON-RESIDENTIAL DEVELOPMENT ON LOTS 2 THROUGH 5, DEPENDING ON ITS TYPE AND SCALE, MAY IN THE FUTURE REQUIRE THAT A TRAFFIC STUDY BE DONE. OWNERS OF SAID LOTS SHOULD CONSULT WITH THE COUNTY ENGINEERING DEPT. REGARDING THE NEED FOR SUCH STUDY. ANY SUCH TRAFFIC STUDIES, IF REQUIRED, SHALL BE COMPLETED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.

APPROVAL OF THIS SUBDIVISION DOES NOT GUARANTEE THE ISSUANCE OF ON-SITE SEWAGE DISPOSAL PERMITS OR THE AVAILABILITY OF POTABLE WATER.

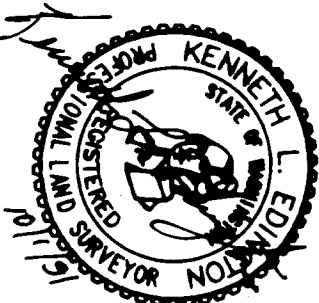
A PRELIMINARY DRAINAGE PLAN WAS DONE FOR THIS SUBDIVISION.

CERTIFICATE OF TITLE RECORDED UNDER A.T.N. 91016417

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF ISLAND COUNTY AND THE WASHINGTON STATE SURVEY RECORDING ACT, IN THE MONTH OF MAY, 1991.

James F. Bell 19023
SIGNATURE CERTIFICATE NUMBER



PLAT NO. PLP NO.02/91

OWNER'S CONSENT AND ACKNOWLEDGMENT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED APPLICANT(S) HEREBY CERTIFY THAT THIS SUBDIVISION IS MADE AS HIS/HER FREE AND VOLUNTARY ACT AND DEED.

James F. Bell
JAMES F. BELL, PRESIDENT, BARBARA VATES, SECRETARY, J.L. DWP INC.

ACKNOWLEDGMENT

STATE OF WASHINGTON
COUNTY OF ISLAND

THIS IS TO CERTIFY THAT ON the 21st day of October, 1991, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED, AND SIGNED, APPEARED JAMES F. BELL AND BARBARA VATES TO ME KNOWN TO BE THE PRESIDENT AND SECRETARY, RESPECTIVELY, OF J.L. DWP INC., A WASHINGTON CORPORATION WHICH EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SIGNED OF SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT OF SAID CORPORATION FOR THE USES AND PURPOSES HEREIN MENTIONED, AND ON OUR SEID THAT THEY WERE AUTHORIZED TO EXECUTE SAID INSTRUMENT FOR SAID CORPORATION, ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

Barbara Vates
Barbara Vates, Secretary
J.L. DWP INC.



TREASURER'S CERTIFICATE

PARC. # 22911-160-1100

ALL TAXES LEVIED WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED HAVE BEEN FULLY PAID AND DISCHARGED ACCORDING TO THE RECORDS OF MY OFFICE, INCLUDING TAXES FOR THE CURRENT YEAR, 1991 & 1992.

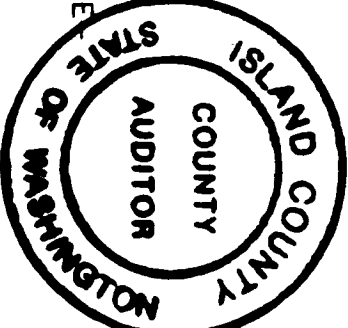
Dorinda E. Gaudin
Dorinda E. Gaudin, Deputy
SIGNATURE AND SEAL



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 28th day of October, 1991 AT 1:38 P.M. IN VOLUME 13 OF PLATS, PAGE 573.4 UNDER AUDITOR'S FILE NO. 91016418. RECORDS OF ISLAND COUNTY, WASHINGTON, AT THE REQUEST OF THE ISLAND COUNTY PLANNING DIRECTOR

D. J. Roehl
D. J. ROEHL, Deputy Auditor
COUNTY AUDITOR



PREPARED BY
HAMMOND, COLLIER & WADE
LIVINGSTONE ASSOC.
SEATTLE, WASHINGTON
IN CONJUNCTION WITH
T. J. ROEHL & ASSOC.
FREELAND, WASHINGTON